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September 27, 2002

Regional Water Quality Control Board
San Diego Region
Attn: Chiara Clemente
9174 Sky Park Court, Suite 100
San Diego, CA 92133

Subject: Tentative Order R9-2002-0104, NPDES Permit No. CA018821
Waste Discharge Requirements for the Rancho California Water District
Santa Rosa Water Reclamation Facility Discharge to the
Santa Margarita River, Riverside County

Dear Ms. Clemente:

We support the Tentative Order R9-2002-0104 waste discharge requirements for the Santa Rosa Water Reclamation Facility (SRWRF). We concur with the provisions in the Tentative Order to limit the discharge to 2.0 million gallons per day (mgd) and to continue the "pilot study". This precautionary approach is essential to limit any potential harm to the aquatic life and riparian habitats of Murrieta Creek and Santa Margarita River pending the outcome of the study. Adoption of the Tentative Cease and Desist order No. R9-2002 to establish interim effluent limitations for two nutrients and two chlorination by-products and a time schedule to comply with this discharge permit is also critical to protect these environs.

Finding 15 in the Tentative Order states that the assimilative capacity of the receiving waters for the nutrients be continued in the "pilot study". The Fact Sheet of the Tentative Order notes that the preliminary analysis of the benthic invertebrates in the receiving waters appear to confirm a "fair to poor" index of biotic integrity. We would like to recommend that some measures of the assimilative capacity of the wildlife habitat also be included in the "pilot study. Wildlife habitat is listed as a beneficial use for the Murrieta/Santa Margarita Rivers. The Basin Plan defines *Wildlife Habitat* as "Includes uses of water that support terrestrial ecosystems including, but not limited to, preservation and enhancement of terrestrial habitats, vegetation, wildlife (e.g., mammals, birds, reptiles, amphibians, invertebrates), or wildlife water and food sources." We are not asking for a comprehensive assessment at this time but one that selects a few key biological indicators absent any existing assessments showing the response of this riparian habitat to the effluent discharged from the SRWRF.

One possible example is to determine if the increased nutrient loading is in part responsible for the

Rancho Water

October 1, 2002

VIA OVERNIGHT MAIL

Chiara Clemente, Environmental Scientist
California Regional Water Quality Control Board
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340

SUBJECT: RENEWAL OF LIVE STREAM DISCHARGE PERMIT (ORDER NO. 96-54)

Dear Ms. Clemente:

Rancho California Water District (RCWD) appreciates the opportunity to provide comments for Tentative Order No. R9-2002-0104, NPDES Permit No. CA0108821, for the subject project. The following items are the RCWD comments regarding Tentative Order No. R9-2002-0104:

1. The last sentence of Section 2.A of the Fact Sheet should be revised to read as follows: "Each District is solely responsible for maintenance, source control, and spill prevention/response to its collection system". Although RCWD anticipates providing some or all of these services to the Murrieta County Water District in the future, no such provisions currently exist.

2. The discharge point identified in Section 3.A of the Fact Sheet and Finding No. 6 of the Tentative Order is located within the City of Murrieta, not the City of Temecula.

3. The Temecula Aquifer or Temecula Arkose Aquifer was mis-identified in Section 4.C of the Fact Sheet as the Temecula Canyon Aquifer.

4. The last sentence of the second paragraph of Section 4.C of the Fact

5. The requirements for a study to determine the groundwater impact from pharmaceutical compounds (Section 6.B.4 of the Fact Sheet and Section I.3 of the Monitoring & Reporting Program) appear to be contradictory to the second paragraph of Section 4.C of the Fact Sheet. As noted in the Fact Sheet, RCWD has two potable water supply wells downstream of the discharge point. Both of these wells are screened within the confined Temecula Aquifer and both wells are isolated from the influence of Murrieta Creek by the aquitard layer between the shallow unconfined Pauba Aquifer and the deeper confined Temecula Aquifer. Since no domestic water supply wells are located within the Pauba Aquifer, this request for a study by the Department of Health Services (DHS) appears to be unwarranted, especially since the DHS has confirmed the aquifer separation. RCWD requests that the pharmaceutical compound study be removed from the Monitoring & Reporting Program.

6. The requirements for groundwater monitoring to determine impacts to groundwater beneficial uses (Section 9.B of the Fact Sheet and Section I.1 of the Monitoring & Reporting Program) appear to be contradictory to the second paragraph of Section 4.C of the Fact Sheet. As noted in the Fact Sheet, RCWD has two potable water supply wells downstream of the discharge point. Both of these wells are screened within the confined Temecula Aquifer and both wells are isolated from the influence of Murrieta by the aquitard layer between the shallow unconfined Pauba Aquifer and the deeper confined Temecula Aquifer. Since no domestic water supply wells are located within the Pauba Aquifer due to noncompliance with drinking water standards unrelated to the discharge project, no impacts to groundwater beneficial uses are anticipated. RCWD requests that the groundwater monitoring be removed from the Monitoring & Reporting Program, or modified to require monitoring only for RCWD's two existing potable water supply wells (Well No. 101 and Well No. 118).

7. RCWD agrees with changing the location of monitoring stations as proposed in Section H of the Monitoring & Reporting Program. The location is unclear for Monitoring Station No. 2 on Murrieta Creek. Should this location be upstream of Warm Springs Creek?

8. There appears to be a lack of justification for the changes in the receiving water monitoring program (Section 9.A of the Fact Sheet and Section H of the Monitoring & Reporting Program). RCWD disagrees that justification exists for the requirement of monitoring Temecula Creek since the permitted discharge does not affect Temecula

that the revised monitoring program for the effluent has an additional fiscal impact of approximately $100,000 per year.

9. Finding No. 12 of Tentative Order No. R9-2002-0104 cites only the numerical concentration goals established in Chapter 3 of the Basin Plan, and omits reference to the alternative method of nutrient compliance set forth in Chapter 4 of the Basin Plan. The Basin Plan allows the Regional Board to establish effluent nitrogen and phosphorus concentration limits on the basis of either numerical concentration goals established in Chapter 3 of the Basin Plan, or an alternative method of compliance set forth in Chapter 4 of the Basin Plan. The alternative method of compliance set forth in Chapter 4 of the Basin Plan protects beneficial uses by requiring (1) best available treatment technology economically achievable, (2) the establishment of a watercourse monitoring and management plan, and (3) the development and implementation of corrective actions to insure that nutrients do not adversely impact beneficial uses. The alternative nitrogen and phosphorus compliance methodology set forth in Chapter 4 of the Basin Plan does not compel the California Regional Water Quality Control Board (Regional Board) to set nitrogen effluent limits at 1.0 mg/l or phosphorus effluent limits at 0.1 mg/l. Further, in establishing the alternative compliance methodology (which was originally established in Resolutions No. 90-53 and No. 91-23, and subsequently incorporated into the 1996 version of the Basin Plan), it was the clear intent of the Regional Board to allow NPDES nitrogen and phosphorus effluent limits to be established without the need for the formal development of Site-Specific Objectives. (Indeed, the alternative compliance methodology was developed by the Regional Board as an alternative means of protecting beneficial uses while encouraging stream discharge, as it was recognized that it was not feasible for recycled water discharges to comply with 1.0 mg/L nitrogen and 0.1 mg/l phosphorus concentration limits.)

10. Effluent nitrogen and phosphorus requirements established in the existing NPDES Permit (Order No. 96-54) were based on this alternative compliance methodology. In accordance with this methodology and the requirements established in Order No. 96-54, RCWD implemented a watercourse monitoring and management plan, and submitted a plan of corrective actions to be implemented in the event of nutrient-related impacts to beneficial uses. Since the stream discharge project was defined in Order No. 96-54 as a "demonstration project," termination of the discharge represented RCWD's ultimate "corrective action" to insure that discharged nutrients do not impact beneficial uses.

11. RCWD implemented the original stream discharge to Murrieta Creek on the understanding that the Regional Board would establish NPDES nitrogen and phosphorus effluent limits on the basis of the alternative compliance methodology. Discharge standards assigned to RCWD in Order No. 96-54 were in accordance with this alternative nutrient compliance methodology. Without presenting adequate justification, however, the Regional Board has now proposed in Discharge Specification B.7 of Tentative Order No. R9-2002-0104 to establish NPDES permit concentration limits that are identical to the Basin Plan numerical nitrogen and phosphorus goals. Such objectives are not economically (and perhaps not technically) achievable. RCWD believes that the proposed nitrogen and phosphorus standards are unnecessary and unwarranted. RCWD additionally believes that the Basin Plan allows the Regional Board to maintain the existing 5.0 mg/L nitrogen and 1.0 mg/L phosphorus limits without the need to develop Site-Specific Objectives.

12. Information presented in the Tentative Order is insufficient to document and support (1) why it is not possible (or appropriate) to maintain the nitrogen and phosphorus effluent limits established in Order No. 96-54 on the basis of the alternative Basin Plan nutrient compliance methodology, (2) why an increase in the discharge above 2.0 million gallons per day is not allowed, and (3) why Site-Specific Objectives would be required in order for the Regional Board to establish such alternative effluent limits. RCWD requests that the effluent limitations for total nitrogen and total phosphorus to remain at 5.0 and 1.0 mg/L, respectively, for Tentative Order No. R9-2002-0104 for the following reasons:

    a. The alternative compliance methodology established within the Basin Plan allows the Regional Board to establish alternative effluent concentration standards without the need to develop Site-Specific Objectives.

    b. Nitrogen and phosphorus effluent concentration limits have already been established in Order No. 96-54 in accordance with the alternate compliance methodology set forth in Chapter 4 of the Basin Plan.

    c. Ambient concentrations of nitrogen and phosphorous exceeded the Basin Plan numerical concentration goals prior to initiation of RCWD's stream discharge without causing any demonstrated impact to beneficial uses.

    d. No significant discharge-related impacts to receiving water quality have been documented during the effective life of Order No. 96-54.

discharge-related impacts to water quality or beneficial uses, and (2) insure compliance with Basin Plan objectives.

13. In concert with maintaining the existing effluent concentration limits of 5.0 mg/L nitrogen and 1.0 mg/L phosphorus, RCWD requests the deletion of Finding No. 5 from Tentative Cease and Desist Order No. R9-2002-0212.

In summary, RCWD objects to the conclusions reached by the Regional Board in issuing Tentative Order No. R9-2002-0104. It is RCWD's opinion that the discharge covered under Order No. 96-54 protected and enhanced the beneficial uses for Murrieta Creek and the Santa Margarita River, and that RCWD's permitted discharge should be increased from the previous limit of 2.0 million gallons per day. Section 1.E of the Fact Sheet confirms the poor ecological health of Murrieta Creek and the Santa Margarita River prior to the initiation of the recycled water discharge. Finding No. 14 of Tentative Order No. R9-2002-0104 clearly states that no "deleterious effects" occurred within the downstream receiving waters that would warrant termination of the pilot study. As previously described in RCWD's Report of Waste Discharge, water quality problems within Murrieta Creek, Temecula Creek, and the Santa Margarita River are primarily related to non-point source pollution. The purpose of RCWD's pilot project and the ultimate project envisioned with the Four Party Agreement, was for the discharge of recycled water to improve the water quality of the Santa Margarita River due to the impacts for non-point source pollution. RCWD's pilot project discharge and river monitoring program demonstrated no adverse impacts to beneficial uses and furthermore demonstrated that the water quality parameters for total dissolved solids, dissolved oxygen, total nitrogen, and nitrate showed improvement at the Temecula Gaging Station when compared to the pre-discharge monitoring program.

Please be aware that adoption of Tentative Order No. R9-2002-0104 and Tentative Cease and Desist Order No. R9-2002-0212, as proposed, is anticipated to effectively terminate RCWD's ability to discharge recycled water into Murrieta Creek, for reasons identified above in Items 8 through 12.

If you have any questions or need additional information, please call me.

Sincerely,

EASTERN MUNICIPAL
WATER DISTRICT
SINCE 1950

October 1, 2002

Ms. Chiara Clemente
California Regional Water Quality Control Board
9174 Sky Park Court, Suite 100
San Diego, CA 92123-4340

Subject: Waste Discharge Requirements for the Rancho California Water District Santa Rosa Water Reclamation Facility Discharge to the Santa Margarita River, Tentative Order No. R9-2002-0104, NPDES Permit No. CA0108821 and Tentative Cease and Desist Order No. R9-2002-0212

Dear Ms. Clemente:

We appreciate the opportunity to comment on the Tentative Order No. R9-2002-00104, NPDES Permit No. CA0208821, and Tentative Order No. R9-2002-0212 for the Rancho California Water District's (RCWD's) Santa Rosa Water Reclamation Facility. The following comments are for your consideration:

1. In contrast to Order No. 96-54, the Tentative Order No. R9-2002-0104 has revised the nutrient limitations to 1.0 mg/L and 0.1 mg/L for total nitrogen and total phosphorus, respectively. This permit does not clearly explain the rationale for the departure from the nutrient limitations set in Order No. 96-54. Finding No. 14 states that no "deleterious effects" occurred within the downstream receiving waters that would warrant termination of the pilot study. In our discussions related to the live stream discharges, the basis for the Basin Plan numeric nutrient limitations for the Santa Margarita River has been questioned and this permit for RCWD was intended to provide the necessary data to determine site specific nutrient objectives, not simply assimilative capacity. Eastern Municipal Water District (EMWD)

2. In Tentative Order No. R9-2002-0104, the monitoring requirements have been greatly increased yet the limitations for nutrients have been reduced. If the nutrient limitations are protective, then the rationale for the increased monitoring is not warranted.

3. In the Fact Sheet, paragraph 1E is not consistent with the discussions the Four Parties had with your office and US EPA on June 10, 2002. This paragraph stated that the preliminary benthic invertebrate analyses in the receiving waters appear to confirm a "fair to poor" index of biotic integrity. It is not clear that there is enough data to determine the health of the river, hence the demonstration project. If the Regional Board has already made a determination on the overall health of the river, then how can the Cease and Desist Order support the development of site specific water quality objectives.

4. In Tentative Order No. R9-2002-0104, the discharge flow has been retained at 2.0 MGD, when up to 5.0 MGD was requested. As stated in Finding No. 14, the discharge has not shown "deleterious effects" to warrant termination of the pilot project. This incremental increase in the flow would provide valuable data for determination of the site specific water quality objective. EMWD recommends either the Tentative Order or the Cease and Desist Order be revised to allow the discharge flow rate to be increased as requested by RCWD for 3 MGD during the month of May through November and 5 MGD during the months of December through April.

In view of the conditions and restrictions placed on RCWD through the Tentative Order and Cease and Desist Order, EMWD is concerned about the viability of future live stream discharges into the Santa Margarita River. The purpose of the Four Party Agreement and RCWD's demonstration project was to show the benefits for both water quality and water quantity of discharging recycled water into the Santa Margarita River as it reduces the impacts from non-point source pollution. The demonstration project has shown no adverse impacts to beneficial uses over the course of the permit and therefore, should be allowed to continue.

If you have any questions, please call Jayne Joy at (909) 928-3777 X 6241.

DAVID P. ZAPPE
General Manager-Chief Engineer

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78891.1

JK 10/2/02
Brian Kelley —
please include in hearing record

2002 OCT -2 A 9:06
SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

October 1, 2002

SENT VIA FEDERAL EXPRESS

Mr. John Robertus, Executive Officer
San Diego Regional Water Quality Control Board
9174 Sky Park Court, Suite 100
San Diego, CA 92123

Dear Mr. Robertus:

Re: Waste Discharge Requirements for the
Rancho California Water District
Santa Rosa Water Reclamation Facility
Riverside County, Order No. R9-2002-0104
NPDES Permit No. CA0108821

We have reviewed the subject draft permit for discharges to Murrieta Creek from Rancho California Water District's (RCWD) Santa Rosa Water Reclamation Facility. RCWD currently discharges 1.8 million gallons per day (mgd) of treated wastewater to Murrieta Creek at the corner of Washington Avenue and Elm Street in Temecula.

The current discharge point is upstream of a proposed detention basin and environmental restoration project being planned by the Riverside County Flood Control and Water Conservation District (District) and the U.S. Army Corps of Engineers (USCE) as part of the Murrieta Creek Flood Control Project. The detention basin will be 270 acres, 163 acres of which will be configured as wetlands, and 49 acres as a recreation area. Murrieta Creek upstream of the basin between Tenaja Road/Lemon Street and Elm Street and downstream between Winchester Road to Front Street will be deepened and widened. The sideslopes will be planted with native vegetation. Over seven miles of multipurpose trails (including hiking, horseback riding, bicycling and bird watching) will be constructed on the banks on either side of the widened channel. A continuous unmaintained vegetated corridor with an average width of 150 feet will be established in the channel bottom along the entire length of Murrieta Creek within the seven-mile-long project area.

Upstream of RCWD's discharge, the creek is dry and sandy with no continuous aquatic habitat value. In the reaches downstream, vegetation is supported and maintained by the discharge. Establishing and maintaining vegetation within the basin and along Murrieta Creek will require continuous flows, such as those from RCWD. Establishment and success of the vegetation in the widened creek and within the basin depends substantially on RCWD's current discharge rate. In the absence of RCWD's treated wastewater discharge, imported water would have to be piped in and purchased at a prohibitive cost. Thus, a $90 million project with significant environmental and public benefit will be jeopardized by the elimination of this important water source.

The District is committed to providing for public safety by protecting life and property from flooding, while doing so in an environmentally responsible manner. If you have any questions concerning this matter, please feel free to call me at 909.955.1250 or Stephen E. Stump at 909.955.1273. For questions on project design, please call Steven Thomas at 909.955.1299.

Very truly yours,

for DAVID P. ZAPPE
General Manager-Chief Engineer

Attachments

c: Rancho California Water District
Attn: Andrew L. Webster
County of Riverside
Attn: Kathy Gifford
City of Temecula
Attn: Gerald Alegria
RCFC&WCD